

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

<b>STATE OF OHIO,</b>	:	<b>CASE NO. 4:23-cv-00517-JRA</b>
	:	
<b>UNITED STATES OF AMERICA,</b>	:	<b>JUDGE JOHN R. ADAMS</b>
	:	
<b>Plaintiffs,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>NORFOLK SOUTHERN CORPORATION, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	

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**STATE OF OHIO’S STATUS REPORT**

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On April 15, 2024, the Court issued an Order directing the parties to file Status Reports every thirty days, addressing: (1) discovery that has occurred during the reporting period; (2) settlement discussions that have occurred during the reporting period; (3) motions that have been filed or remained pending during the reporting period; and (4) any developments that might give rise to a request to deviate from the schedule outlined in the case management plan.

Since the filing of the last status report on February 12, 2025, the State’s responses are respectfully submitted below.

**1. Discovery**

Ohio and Norfolk Southern have completed fact discovery. Both parties participated in multiple meet and confers and completed document production. Ohio provided its expert reports with Norfolk Southern on February 28, 2025. Norfolk is scheduled to provide its expert reports to Ohio on April 11, 2025.

## **2. Settlement Discussions**

Ohio and Norfolk Southern continue to have discussions regarding resolution of this case. Additionally, Ohio and Norfolk Southern have had preliminary discussions about mediating this case following Norfolk Southern's expert disclosures and reports.

## **3. Motions Filed or Pending**

No motions have been filed or remain pending during the most recent reporting period.

## **4. Potential Deviations from Case Management Schedule**

As indicated above, Ohio and Norfolk Southern are pursuing possible mediation in this case. Ohio and Norfolk Southern agree that a mediation after expert disclosures, but before expert depositions, would be most productive and may obviate the need for the time and expense of expert depositions. In order to facilitate a productive mediation, Ohio and Norfolk Southern anticipate proposing a brief extension to the deadlines for expert depositions and dispositive motions to accommodate a mediation.

Respectfully submitted,

DAVE YOST  
OHIO ATTORNEY GENERAL

**s/ Amber Wootton Hertlein**

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**Certificate of Service**

This certifies that on March 14, 2025, I served State of Ohio's Status Report by filing through the Court's CM/ECF system, which electronically notified all parties of record.

**s/ Amber Wootton Hertlein**

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